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April 24, 2017

Hon. Lucy H. Koh
US District Court, US Northern District of California, 280 S. First Street
San Jose, CA 95113

Facebook, Inc. v. Power Ventures Inc., Steven Vachani, Case No 08-cv5780 LHK

Re: Facebook has not opposed my motion for stay pending appeal. Requesting immediate court order approving my motion for 90-day stay pending appeal (docket 425). This includes stay of Tuesday, April 25th initial remand hearing.

Dear Hon. Judge Koh:

On April 17, I filed a pro-se motion to stay this court's hearing on the remand of the Ninth Circuit's December 9th, 2016 mandate to await the US Supreme Court's disposition of a timely filed petition for certiorari. (See Docket 425) My proposed plan for expedited briefing was posted and noticed electronically. Facebook did not object to expedited briefing or file an opposition by the noticed deadline of April 21. I infer from this silence that Facebook did not oppose expedited briefing or the request for the stay.

On March 27, 2017, I informed this court of the challenges that my co-defendant Power Ventures Inc. is facing with their current trial counsel and a search was initiated for experienced co-counsel. (See Docket 420) We are now in the final process of retaining Rita Haeusler from the California office of Hughes, Hubbard & Reed to join as co-counsel before this court. Hughes, Hubbard & Reed's New York office is currently litigating our petition for certiorari.

Pending the Supreme Court's disposition of the petition for certiorari, I respectfully pray for an immediate order from this court to approve my motion staying all remand hearings and further briefings for 90 days. It should be noted that in my related bankruptcy case, Facebook counsel sent me an email containing a suggested joint statement requesting that we continue our hearings for 90-days in light of our pending appeal to Supreme Court (Exhibit A). Prior to even filing this joint statement, Judge Efremsky himself proactively moved our originally scheduled April 2017 hearing to September 2017. (Facebook vs. Vachani – Judge Efremsky - 4:13-ap-04226-docket 34) If our petition for certiorari is to be denied without a request for a brief in opposition from Facebook (which waived its right to do so), Supreme Court counsel anticipates that the Court will issue a denial within 90 days.

Alternatively, if this court cannot immediately grant the 90-day stay which was requested from my motion for stay pending appeal (docket 425), I would like to request at least a 15-day extension on the hearing currently scheduled for this Tuesday, April 25th to allow new counsel to get up to speed. If this extension cannot be granted, Ms. Rita Haeusler is still ready to sign on as co-counsel today and appear before this court at tomorrow's currently scheduled April 25th (2:00pm) hearings

Thank you for your consideration,



/s/ Steven Vachani